

12/11/01



1060 U.S. PTO

12-14-01

PTO/SB/05 (08-00)

A

UTILITY PATENT APPLICATION TRANSMITTAL		Attorney Docket No. <u>9914.2-KGB</u>	
(Only for new nonprovisional applications under 37 CFR 1.53(b))		First Inventor	REINER FISCHER ET AL.
		Title	See Appendix
		Express Mail Label No.	EV 015941291 US
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>185</u>] (Preferred arrangement set forth below)</p> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Detailed Description of the Drawings (if filed)</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> <p>4. <input type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>  </u>]</p> <p>5. <input checked="" type="checkbox"/> Oath or Declaration [Total Pages <u>3</u>]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (For continuation/divisional with Box 17 completed)</p> <p>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed Statement attached deleting inventor(s) Named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (If applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Forms (CRF)</p> <p>b. Specification Sequence Listing on:</p> <p>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</p> <p>ii. <input type="checkbox"/> paper</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>	
		ACCOMPANYING APPLICATION PARTS	
		<p>9. <input type="checkbox"/> Assignment Paper (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (When there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations Statement (IDS)/PTO-1449</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other <u>Appendix</u> <u>Certificate of Mailing by Express Mail</u></p>	
<p>17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: <u>08/875,872</u></p> <p>Prior application information: Examiner <u>B. Kifle</u> Group / Art Unit: <u>1624</u></p> <p>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>			
IN CORRESPONDENCE ADDRESS			
<p><input type="checkbox"/> Customer Number or bar Code Label <u>27384</u> or <input type="checkbox"/> Correspondence address below</p> <p>(Insert Customer No. or Attach barcode-label here)</p>			
Name			
Address			
City			
Country			
Name (Print/Type)	Kurt G. Briscoe	Registration No. (Attorney/Agent)	33,141
Signature		Date	December 11, 2001

JC564 U.S. PTO  
10/014713

12/11/01

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	Divisional of S.N. 08/875,872
Filing Date	Herewith
First Named Inventor	REINER FISCHER ET AL.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	Bayer 9914.2-KGB

TOTAL AMOUNT OF PAYMENT \$740.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

14-1263

Deposit  
Account  
Name

Norris McLaughlin & Marcus

- ☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status.  
See 37 CFR § 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	740.00
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1)			\$740.00

### 2. EXTRA CLAIM FEES

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** = 0	X	= 0.00
Independent Claims	-3** = 0	X	= 0.00
Multiple Dependent			

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			\$0.00

\*\*or number previously paid, if greater; for Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non - English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR § 1.17(q)	
126 180	126 180	Submission of Information Disclosure Statement	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

## SUBMITTED BY

Name (Print/Type)	Kurt G. Briscoe	Registration No. (Attorney/Agent)	33,141	Telephone	212-808-0700
Signature		Date	December 11, 2001		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : REINER FISCHER ET AL.  
SERIAL NO. : Divisional of 08/875,872  
FILED : Herewith  
FOR : 2-PHENYL-SUBSTITUTED HETEROCYCLIC 1,3-KETONOLS  
AS HERBICIDES AND PESTICIDES  
ART UNIT : To be assigned  
EXAMINER : To be assigned

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CERTIFICATE OF MAILING BY EXPRESS MAIL (37 CFR 1.10)

Express Mail Label No.: EV 015941291 US

Date of Deposit: December 11, 2001

I hereby certify that the following items:

1. Utility Patent Application Transmittal
2. Fee Transmittal, in duplicate
3. Appendix
4. Specification (pp. 1-144), Claims (pp. 145-183), Abstract (pp. 184-185)
5. Combined Declaration and Power of Attorney (3 pages)
6. Preliminary Amendment
7. Information Disclosure Statement with Form PTO-1449

and this Certificate of Mailing by Express Mail are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date shown above, in an envelope addressed to: Box PATENT APPLICATION, Commissioner for Patents, Washington, D.C. 20231.

NORRIS McLAUGHLIN & MARCUS, P.A.

By: 